

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EXMAR SHIPPING N.V.,

06 CIV /2541 (n3)

Plaintiff,

-against-

POLAR SHIPPING S.A. and
POLAR SHIPPING CO., LTD.,

Defendants.

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**ORDER DIRECTING
PROCESS OF MARITIME
ATTACHMENT AND
GARNISHMENT**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>11/7/06</u>

Upon reading and filing the Verified Complaint of the Plaintiff herein, verified on the 7th day of November 2006, and the affidavit of Manuel A. Molina, sworn to on the same day, that to the best of his information and belief Defendants cannot be found within this District for the purpose of an attachment under Supplemental Rule B(1), and the Court having found that the conditions required by Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure exist,

NOW, upon motion of Freehill Hogan & Maher, LLP, attorneys for the Plaintiff, it is hereby

O R D E R E D that the Clerk of this Court is directed forthwith to issue the Process of Maritime Attachment and Garnishment for seizure of all tangible and intangible property of the Defendants, as described therein, including but not limited to any property of the Defendants **POLAR SHIPPING S.A. and POLAR SHIPPING CO., LTD.**, including but not limited to assets of the Defendants being held by or in the possession, custody or control of or being transferred through, ABN Amro Bank,

American Express Bank Ltd., Bank of America, N.A., BNP Paribas, Citibank N.A., Deutsche Bank Trust Company, HSBC and HSBC Bank USA N.A., JP Morgan Chase, Société Générale, Standard Chartered, The Bank of New York, Wachovia Bank, and/or any other garnishee(s) on whom a copy of the Process of Maritime Attachment and Garnishment may be served, in the amount of **\$1,157,558.29** pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

O R D E R E D that supplemental process enforcing the Court's Order may be issued without further Order of the Court; and it is further

O R D E R E D that following initial service by the United States Marshal or other designated person upon a garnishee, with affidavit of service, supplemental service of the Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served and such subsequent service by facsimile or e-mail, if transmitted from within the District shall be deemed to have been made within the District; and it is further

O R D E R E D that service on any garnishee as described above is deemed effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day.

Dated: New York, New York
November 7, 2006



The image shows a handwritten signature in black ink, appearing to read "Naomi B. Levy", written over a solid horizontal line. Below the line, the initials "U.S.D.J." are printed in a smaller, sans-serif font.